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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NORTHERN CALIFORNIA-NORTHERN NEVADA SOUND AND COMMUNICATIONS EMPLOYEE BENEFIT TRUST FUNDS; DOUG LUNG AND BOB TRAGNI AS TRUSTEES OF THE NORTHERN CALIFORNIA-NORTHERN NEVADA SOUND AND COMMUNICATIONS DISTRICT NO. 9 HEALTH AND WELFARE TRUST FUND,

CASE NO.: C08-00537 RMW
DECLARATION OF BOB TRAGNI IN SUPPORT OF A DEFAULT JUDGMENT

15 Plaintiffs,
16 vs.
17 SPARTAN ENGINEERING, INC.,
a California Corporation,
18 Defendant.

DATE: July 25, 2008
TIME: 9:00 a.m.
PLACE: Courtroom 4, 5th Floor
JUDGE: Ronald M. Whyte

I, BOB TRAGNI, do declare as follows:

1. At this time, and all times pertinent, I have been and am a trustee of the Health and Welfare, Pension, and Vacation Trust Fund.

2. The Defendant SPARTAN ENGINEERING, INC., a California Corporation, signed a collective bargaining agreement with the Plaintiff Trust Funds on or about February 12, 1997. Said agreement was in effect then and continues to be in effect.

3. Said agreement provides in part that fringe benefits shall be paid to Plaintiff Trust Funds by the Defendants and that all payments shall be made on the 15th of the month

1 following the month in which fringe benefits accrued. If they are not paid by the 15th of the
2 month liquidated damages are due in the sum equal to ten percent of the principal amount. The
3 sum of \$21,121.57 principal for the months of December 2007 and January 2008; and
4 \$11,256.52 in liquidated damages for the months of August 2007 through January 2008,
5 according to contract is now due and owing and unpaid from the Defendant to Plaintiffs.

6 4. Plaintiffs performed all conditions on their part to be performed and Defendant
7 SPARTAN ENGINEERING, INC., a California Corporation, continues to owe these monies.
8 Plaintiff seeks judgment pursuant to this declaration.

9 5. Said collective bargaining agreement further provides attorney's fees shall be
10 awarded in the event suit is filed to collect principal or liquidated damages under the agreement.

I declare under penalty of perjury that the foregoing is true and correct of my own knowledge. If called as a witness, I could competently testify to the foregoing.

13 Executed this 19th day of June 2008, at San Jose, California.

15 /s/ Bob Tragni
BOB TRAGNI